

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:19-CV-00128-GCM**

**CHRISTOPHER D. ELLERBE,**

**Plaintiff,**

**v.**

**JOHN A HERRING,  
KEVIN INGRAM,  
FNU RUE,  
KEITH LAMBERT,  
FNU SELLERS,  
FNU PRESTON,**

**Defendants.**

**ORDER**

**THIS MATTER** comes before the Court on its own motion. Trial is presently set for May 9, 2022. A scheduling conflict now makes that date untenable, and trial must be continued to the following week. The Court regrets any inconvenience to the parties.

**IT IS THEREFORE ORDERED** that the trial in this matter is **RESET** to May 16, 2022 at 10 am. The writ of habeas corpus ad testificandum for Ellerbe (ECF No. 67) is **VACATED**. A new writ will issue by separate order.

**IT IS FURTHER ORDERED** that the Clerk **TRANSMIT A COPY** of this Order to all parties; the U.S. Marshal; the Warden of the Alexander Correctional Institution, 633 Old Landfill Road, Taylorsville, NC 28681; and Joyce Meadows, NCDPS Administrative Specialist for Writs, joyce.meadows@ncdps.gov.

**SO ORDERED.**

Signed: March 7, 2022



Graham C. Mullen  
United States District Judge

